

House File 891

H-1467

1 Amend House File 891 as follows:

2 1. Page 75, after line 17 by inserting:

3 <DIVISION ____

4 VACCINATIONS — HEALTH CARE PROVIDER REQUIREMENTS

5 Sec. ____ . NEW SECTION. 135.39E **Vaccinations — health care**
6 **provider requirements — penalties.**

7 1. For the purposes of this section:

8 *a. "Health care provider"* means any licensed health care
9 professional, organization, or institution, whether public
10 or private, including federal, state, and local departments,
11 agencies, and instrumentalities, under whose authority a
12 licensed or emergency use vaccine is administered.

13 *b. "Health profession board"* means a profession board
14 designated pursuant to section 147.13.

15 *c. "Vaccine injury table"* means the vaccine injury table
16 created and revised pursuant to 42 U.S.C. §300aa-14.

17 2. The department shall collaborate with each health
18 profession board to ensure that a health care provider under
19 the purview of the department or a health profession board
20 is aware of and complies with the requirements of 42 U.S.C.
21 §300aa-25 and 42 U.S.C. §300aa-26, including all of the
22 following:

23 *a.* That, prior to the patient receiving the vaccine, the
24 health care provider provides an adult patient, or the parent
25 or legal representative of a minor patient, with a copy of
26 the relevant federal vaccine information statement for the
27 vaccine the patient is to receive and verbally informs the
28 adult patient, or the parent or legal representative of a
29 minor patient, of the existence of the federal food and drug
30 administration vaccine adverse event reporting system and the
31 national vaccine injury compensation program referenced in the
32 statement, if the vaccine is included in the vaccine injury
33 table.

34 *b.* That the health care provider records certain required
35 information about the vaccine administered in the patient's

1 medical record or a permanent office log or file.

2 *c.* That the health care provider documents any adverse
3 event following the vaccination that the patient experiences
4 within eight weeks post-administration and that becomes known
5 to the health care provider, submits the report to the federal
6 food and drug administration vaccine adverse event reporting
7 system, and provides the adult patient, or the parent or legal
8 representative of a minor patient, with a copy of the report.

9 3. The health profession board for a health care provider
10 may deny an applicant a license or suspend, revoke, or refuse
11 to renew a license, and may take other disciplinary action
12 against a licensee based on the applicant or licensee having
13 three or more verified failures to comply with the applicable
14 health care provider requirements pursuant to 42 U.S.C.
15 §300aa-25 and 42 U.S.C. §300aa-26.

16 4. A health care provider who violates a provision of
17 42 U.S.C. §300aa-25 or 42 U.S.C. §300aa-26, in addition to
18 licensee disciplinary action pursuant to subsection 3, shall
19 be subject to a fine, per violation, of a minimum amount of one
20 thousand dollars, established by rule of the department or the
21 respective health profession board, as applicable.>

22 2. By renumbering as necessary.

SHIPLEY of Van Buren